

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAVIER REYNA,

Defendant.

4:17-CR-3035

ORDER

The defendant has filed what the Court understands to be a *pro se* motion ([filing 81](#)) seeking relief under [U.S.S.G. Amend. 821](#), made retroactive by [U.S.S.G. Amend. 825](#) with an effective date of February 1, 2024. Pursuant to [Gen. Order 2023-09](#), the Office of the Federal Public Defender for the District of Nebraska has already been appointed to determine whether the defendant is entitled to relief under those provisions, and to file any appropriate motion for relief. Accordingly,

IT IS ORDERED:


1. The defendant's *pro se* motion ([filing 81](#)) will be held in abeyance pending action by the Federal Public Defender.
2. The Clerk of the Court shall provide the defendant with a copy of this order and [Gen. Order 2023-09](#).
3. The Clerk of the Court shall also give notice of this order to the United States Attorney, the Federal Public Defender,

and to the Supervisory United States Probation Officer who handles presentence reports.

4. If upon his review the Federal Public Defender should conclude that the defendant's motion is frivolous or should not move forward, the Federal Public Defender shall move to withdraw as counsel.

Dated this 6th day of November, 2023.

BY THE COURT:

  
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John M. Gerrard  
Senior United States District Judge